

TITLE 8 DEVELOPMENT CODE

DIVISION 12: GENERAL DEFINITIONS

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812.03003 Calf Ranch or Raising.

"Calf ranch or raising": Any premises used for the raising or keeping of ten (10) or more weaned calves.

Readopted Ordinance 3341 (1989)

812.03005 Camp, Organized.

"Organized Camp": A site with program and facilities established for the primary purpose of providing an outdoor group living experience with social, spiritual, educational, or recreational objectives normally for five days or more during one or more seasons of the year.

Such camps are located on a permanent site and have a well defined program of organized supervised activities in which campers are required to participate. There is present at the camp a qualified program director and a staff adequate to carry out the daily program activities which are mainly out of doors.

Establishments which rent or lease facilities on an individual family or group basis for the principal purpose of sporting or other unorganized recreational activities should not be considered an organized camp.

Readopted Ordinance 3341 (1989)

812.03010 Camp, Public.

"Public Camp": Land or premises used or intended to be used, let or rented for camping purposes by two or more camping parties in trailers, tents or other movable or temporary dwellings.

Readopted Ordinance 3341 (1989)

812.03015 Capital Facilities.

"Capital Facilities": Physical facilities or equipment, such as roads, libraries, schools, government buildings, water and sewer systems.

Readopted Ordinance 3341 (1989)

812.03017 Carnival.

"Carnival": The exhibiting or conducting of a traveling show or of entertainment open to the public, including any caravan, museum, menagerie, animal collection, circus, sideshow, burlesque show, rodeo, carnival, animal exhibition, feats of horsemanship, acrobatic performance, "wild west" show, or any other show or entertainment similar in character.

Adopted Ordinance 3654 (1996)

812.03020 Carport.

"Carport": A permanent roofed structure with no more than two (2) enclosed sides, used or intended to be used for shelter and storage.

Readopted Ordinance 3341 (1989)

812.03025 Cemetery.

"Cemetery": Land used or intended to be used for the permanent internment of dead human bodies or the cremated remains thereof dedicated for cemetery purposes. A cemetery is established and operated in compliance with the State Health and Safety Code and any mapping and Conditional Use Permit requirements of this Title. Cemetery purposes include columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundary of such a cemetery. "Pet Cemetery" shall be a cemetery for domesticated animals and shall be in compliance with applicable State and County regulation, including mapping and applicable Conditional Use Permit requirements.

Readopted Ordinance 3341 (1989)

812.03030 Centerline.

"Centerline": The centerline of a street shall mean the right-of-way centerline as established by the County Surveyor, the City Engineer of any city within the County, or the State Division of Highways of the State of California. If no such centerline has been established and in any case in which the foregoing definition is not applicable, the reviewing authority shall designate the centerline.

Readopted Ordinance 3341 (1989)

812.03035 Channel Acquisition

"Channel Acquisition": The buying or leasing of drainage courses for the purpose of routing or controlling water runoff or floods.

Readopted Ordinance 3341 (1989)

812.03040 Circulation Element

"Circulation Element": Any street, highway, boulevard, freeway, parkway, road, lane, alley, public easement or public right-of-way designed or designated for the use of pedestrians or vehicles by the General Plan and any applicable Specific plan.

Readopted Ordinance 3341 (1989)

812.03045 Club.

"Club": An association of persons, whether incorporated or unincorporated and organized for some common nonprofit purpose, but not including a group organized solely or primarily to render a service customarily carried on as a business.

Readopted Ordinance 3341 (1989)

812.03050 Commercial Coach

"Commercial Coach": A vehicle with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes, and shall include vehicles containing mobile offices.

Readopted Ordinance 3341 (1989)

812.03055 Common Carrier.

"Common Carrier": Any corporation or business that performs a service for, or delivers a commodity to the public or any portion thereof via a pipeline or other transmission line or device for which any compensation or payment whatsoever is received and is subject to the Federal Mineral Leasing Act of 1920, as amended by Public Law 93-153.

Readopted Ordinance 3341 (1989)

812.03060 Common Interest Development

"Common interest development": A real property development which consists or will consist of separately owned lots, parcels, areas, or spaces with either or both of the following features:

(a) One or more additional contiguous or noncontiguous lots, parcels, areas, or spaces owned in common by the owners of the separately owned lots, parcels, areas, or spaces.

(b) Mutual, common, or reciprocal interests in, or restrictions upon, all or a portion of these separately owned lots, parcels, areas, or spaces, or both and, in which the owners of the separately owned lots, parcels, areas, or spaces have rights, directly or indirectly, to the beneficial use and enjoyment of all or a portion of such lots, parcels, areas, or spaces.

The estate in a separately or commonly owned lot, parcel, area, or space may be an estate of inheritance or perpetual estate, an estate for life, an estate for years, or any combination of the foregoing.

Either common ownership of the additional contiguous or noncontiguous lots, parcels, or areas or the enjoyment of the mutual, common, or reciprocal interests in, or restrictions upon, the separately owned lots, parcels, areas or spaces or both, may be through ownership of shares of stock or membership in an association or otherwise. Shares of stock, if any exist, shall be deemed to be interests in a common interest development and real estate development for purposes of subdivision (f) of Section 25100 of the California Corporations Code.

Readopted Ordinance 3341 (1989)

812.03065 Compliance Investigation.

"Compliance Investigation": Any building permit inspection, mobilehome setdown inspection, Code compliance investigation, or any review by any County Agency, Department or office, or their designee to determine compliance with rules, regulations, standards and conditions of approval established either by or to implement the provisions of the San Bernardino County Code.

Readopted Ordinance 3341 (1989)

812.03070 Composite Development Plan

"Composite Development Plan": A map or plan on file with the Office of Building and Safety which reflects additional information related to the development of lots created by a Final or Parcel Map recorded after March 1, 1986. Notes on this plan or map are for informational purposes and indicate conditions and criteria that exist on the property that were known and identified as of the date of the recordation of the Final or Parcel Map. Authority for this plan is derived from California Government Code Section 66434.2.

Readopted Ordinance 3341 (1989)

812.03075 Compressed Gas.

"Compressed Gas": Any mixture or material having in the container either an absolute pressure exceeding 40 pounds per square inch at 70⁰F., or an absolute pressure exceeding 104 pounds per square inch at 130⁰F., or both; or any liquid flammable material having a vapor pressure as defined in Section 9.124 exceeding 40 pounds per square inch at 100⁰F.

Readopted Ordinance 3341 (1989)

812.03080 Community Apartment Project.

"Community Apartment Project": A common interest development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon. This use includes apartment complexes that were converted to allow for individual ownership of units that were not constructed to condominium building standards.

Readopted Ordinance 3341 (1989)

812.03085 Community Celebration.

"Community Celebration": Those public affairs sponsored by chambers of commerce or community service groups in unincorporated communities for the promotion of community spirit by public parades, carnivals, and other outdoor activities.

Readopted Ordinance 3341 (1989); Amended Ordinance 3654 (1996)

812.03095 Community Noise Equivalency Level (CNEL).

"Community Noise Equivalency Level (CNEL)": The CNEL is a measure of the cumulative noise exposure level in the community. It results from a summation of average noise levels based on the average energy level of the sound over a twenty-four (24) hour period, with an increased weighing factor applied to the evening and night time period.

Readopted Ordinance 3341 (1989)

812.03097 Compatible.

"Compatible": When used in relation to a structure, indicates that such structure is built so that its appearance is similar to that of the principal unit to which the structure is accessory or to the general character of the neighborhood with regards to color, materials, construction, lighting, signs, or the emission of sounds, noises and vibrations.

Adopted Ordinance 3864 (2002)

812.03100 Condominium.

"Condominium": A condominium is an estate in real property. Such estate may, with respect to the duration of its enjoyment, be either: (1) an estate of inheritance or perpetual estate, (2) an estate for life, (3) an estate for years, such as a leasehold or subleasehold, or (4) any combination of the foregoing.

Readopted Ordinance 3341 (1989)

812.03105 Condominium Plan.

"Condominium Plan": A plan consisting of (1) a description or survey map of a condominium project, which shall refer to or show monumentation on the ground, (2) a three-dimensional description of a condominium project, one or more dimensions of which may extend for an indefinite distance upwards or downwards, in sufficient detail to identify the common areas and each separate interest, and (3) a certificate consenting to the recordation of the condominium plan pursuant to this title signed and acknowledged by the record owner of fee title to that property included in the condominium project. In the case of a condominium project which will terminate upon the termination of an estate for years, the certificate shall be signed and acknowledged by all lessors and lessees of the estate for years and, in the case of a condominium project subject to a life estate, the certificate shall be signed and acknowledged by all life tenants and remainder interests. The certificate shall also be signed and acknowledged by either the trustee or the beneficiary of each recorded deed of trust, and the mortgagee of each recorded mortgage encumbering the property. Owners of mineral rights, easements, rights-of-way, and other nonpossessory interests do not need to sign the condominium plan. A condominium plan may be amended or revoked by a subsequently acknowledged recorded instrument executed by all the persons whose signatures would be required to record a condominium plan pursuant to this subdivision.

Readopted Ordinance 3341 (1989)

812.03110 Condominium Project.

"Condominium Project": A common interest development consisting of condominiums. A condominium consists of an undivided interest in common in a portion of real property coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded condominium plan in sufficient detail to locate all boundaries thereof. The area within these boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to land except by easements for access and, if necessary, support. The description of the unit may refer to (i) boundaries described in the recorded condominium plan, (ii) physical boundaries, either in existence, or to be constructed, such as walls, floors, and ceilings of a structure or any portion thereof, (iii) an entire structure containing one or more units, or (iv) any combination thereof. The portion or portions of the real property held in undivided interest may be all of the real property, except for the separate interests, or may include a particular three-dimensional portion thereof, the boundaries of which are described on a recorded final map, parcel map, or condominium plan. The area within these boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to land except by easements for access and, if necessary, support. An individual condominium within a condominium project may include, in addition, a separate interest in other portions of the real property.

Readopted Ordinance 3341 (1989)

812.03115 Conservation.

"Conservation": The planned management, protection and use of natural resources in order to prevent the wasteful exploitation, destruction or neglect of these resources. Implicit in conservation is the concept of wise use as distinguished from nonuse or preservation.

Readopted Ordinance 3341 (1989)

812.03120 Consistency.

"Consistency": A review to ensure that all plans and actions conform to guidelines set forth in the General Plan and any applicable or Specific Plans.

Readopted Ordinance 3341 (1989)

812.03125 Construction Projects.

"Construction Projects": A construction activity that is subject to approval of either a County ministered permit, or approval of a discretionary decision on a land use application.

Readopted Ordinance 3341 (1989)

812.03130 Contiguous or Contiguous Property.

"Contiguous": In actual close contact; touching; bounded or traversed by. "Contiguous property" shall be those properties which touch property lines of any parcel including those properties which touch said property lines of a subject parcel when such lines are projected across public or private rights-of-way, easements, roads, streets, or railroad rights-of-way.

Readopted Ordinance 3341 (1989)

812.03135 Cooling Opportunities, Passive or Natural.

"Passive or Natural Cooling Opportunities": The ability to orient or site a structure, including a dwelling on its lot in order to take optimum advantage of prevailing breezes for cooling purposes.

Readopted Ordinance 3341 (1989)

812.03140 County.

"County": The County of San Bernardino.

Readopted Ordinance 3341 (1989)

812.03142 County Fire Department.

"County Fire Department": Means the San Bernardino County Consolidated Fire District.

Adopted Ordinance 3611 (1995)

812.03145 County Procedures.

"County Procedures": Any policies or procedures which have been adopted by the Board of Supervisors, and are described, delineated and on file for use and examination by the public in the Office of Clerk of the Board of Supervisors.

Readopted Ordinance 3341 (1989)

812.03155 County Schedule of Fees or Fee Schedule

"County Schedule of Fees or Fee Schedule": Refers to Title 1, Division 6, Chapter 2, Schedule of Fees, of the San Bernardino County Code.

Readopted Ordinance 3341 (1989)

812.03160 County Standards.

"County Standards": Any current improvement standards or design standards which have been adopted by the Board of Supervisors, and are described, delineated and on file for use and examination by the public in the Office of the Clerk of the Board of Supervisors.

Readopted Ordinance 3341 (1989)

812.03165 County Surveyor.

"County Surveyor": The County Surveyor of San Bernardino County, or an authorized designee.

Readopted Ordinance 3341 (1989)

812.03170 Court.

"Court": An open, unoccupied space, other than a yard, which is bounded on two or more sides by such building or buildings and is created by the required separation of such buildings.

Readopted Ordinance 3341 (1989)

812.03175 Cultural Resource Damage.

"Cultural Resource Damage": Any destruction or harm done to or inflicted upon any such paleontologic, archaeologic or historic remains which could contribute to the study and interpretation of biological and cultural development.

Readopted Ordinance 3341 (1989)

812.03180 Curb Cut.

"Curb Cut": The lowering of a curb to permit access by vehicles, wheelchairs, carts and pedestrians.

Readopted Ordinance 3341 (1989)